

All Cooped Up

By Reg P. Wydeven
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When I was in the fourth grade, we learned about chickens. Our classroom got an incubator and a dozen or so eggs. Because I was lucky enough to have my name drawn out of a hat, I got to keep one of the chicks.

When he was big enough, I took my chick home. I named him George and fed him crushed up Cheerios. He stayed in a huge cardboard box in our dining room under a heat lamp. After several months, he got to be pretty big – too big for his box and our house.

Thankfully I had a friend who lived out in the country on a farmette. They had several animals on their property, so George was in heaven. By the next year he grew into the biggest rooster our friends had ever seen.

One day my friend was horseback riding and his steed stepped on George. Then he was the flattest rooster they had ever seen.

Before his untimely demise, George had the luxury of roaming freely on the countryside. Not all chickens, however, are as fortunate.

Many hens that are raised to produce eggs are kept in tiny coops. They are raised for the sole purpose of laying eggs, so some farmers feel they shouldn't need room for anything else.

The State of California disagreed, however. In 2008, California adopted a law that required hens to be kept in cages large enough so that they can lie down, stand up, turn around and fully extend their limbs. Or do the chicken dance, essentially. Farmers were given until 2015 to comply with the new rules.

California farmers had a beef with their legislators, complaining that the new measure forced them to have fewer hens in their existing coop space, meaning fewer eggs. Other states, though, didn't have to play by the same rules. So in 2010, California expanded the law to prevent the sale of eggs within the state coming from hens that weren't raised in compliance with their standards.

In response, last year six states sued California, claiming the egg law violated the U.S. Constitution's interstate commerce clause by imposing undue burdens on farmers outside the state. A federal appeals court panel told the plaintiffs to get the shell out of court because they failed to show that the law affected more than just individual farmers.

The other states wouldn't crack, however. Josh Hawley, the Attorney General for Missouri, hatched a plan to again sue California and ask the U.S. Supreme Court to take the case. This time, the lawsuit cites an economic analysis of the impact of the new law. The study is from a University of Missouri economist who concluded that the national price of a dozen eggs has increased between 1.8% and 5.1% since the law went into effect in January of 2015.

In addition, the study estimates that the new requirements have poached U.S. households of up to \$350 million annually, including around \$97 million for low-income families. Finally, the study claims the price increase has added thousands of dollars annually to states' costs for supplying eggs to prisoners, which are a staple of their diet.

Wisconsin scrambled to join the lawsuit, along with Alabama, Arkansas, Indiana, Iowa, Louisiana, Nebraska, Nevada, North Dakota, Oklahoma, Texas and Utah.

One disgruntled farmer briefly considered raising herons to sell their eggs, but he decided he wanted to live his life with no egrets.

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